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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEFFREY ALAN GONSALVES,

Defendant.

Case No. 24-mj-413-BNW

COMPLAINT for violation of:

Operating a Motor Vehicle while Under
the Influence of Alcohol
36 C.F.R. § 4.23(a)(1);

Operating a Motor Vehicle with a
BAC of 0.08 Grams and Higher
36 C.F.R. § 4.23(a)(2);

BEFORE the United States Magistrate Judge, Las Vegas, Nevada, the undersigned
complainant, being first duly sworn, states that:

COUNT ONE

Operating a Motor Vehicle while Under the Influence of Alcohol
(36 C.F.R. § 4.23(a)(1))

On or about September 4, 2023, in the State and Federal District of Nevada, within
the boundaries of the Lake Mead National Recreation Area,

JEFFREY ALAN GONSALVES,

defendant herein, operated a silver 2010 Kia sedan bearing Nevada registration 186G96,
under the influence of alcohol to a degree that rendered the defendant incapable of safe

operation, to wit: **GONSALVES** failed to make a proper stop at a stop sign and made a left turn onto without using its turn signal; **GONSALVES** then stopped in the middle of the roadway and waved his hand out the window signaling rangers in a marked patrol vehicle to go around his vehicle; while traveling along Lakeshore Road, **GONSALVES**'s vehicle touched the fog line multiple times; during face-to-face contact, the ranger noticed a faint odor of an alcoholic beverage emanating from the vehicle; when asked, **GONSALVES** admitted to drinking about two beers within the last six hours; **GONSALVES** placed his hands on the rear door to stabilize himself while walking; **GONSALVES** showed clues of impairment during the Standardized Field Sobered Tests; **GONSALVES** provided "Intoxilyzer 8000" test results of 0.112 grams and 0.112 grams of alcohol per 210 liters of breath, respectively; all in violation of Title 36, Code of Federal Regulations, Section 4.23(a)(1).

COUNT TWO

Operating a Motor Vehicle with a BAC of 0.08 Grams and Higher
(36 C.F.R. § 4.23(a)(2))

That on or about September 4, 2023, in the State and Federal District of Nevada, within the boundaries of the Lake Mead National Recreation Area,

JEFFREY ALAN GONSALVES,

defendant herein, operated a silver 2010 Kia sedan bearing Nevada registration 186G96 with an alcohol concentration in the defendant's breath of 0.08 grams and more of alcohol per 210 liters of breath, to wit: **GONSALVES**'s "Intoxilyzer 8000" test results of 0.112 grams and 0.112 grams of alcohol per 210 liters of breath, respectively; all in violation of Title 36, Code of Federal Regulations, Section 4.23(a)(2).

PROBABLE CAUSE AFFIDAVIT

Your Complainant, Christopher J. Raynolds, as a Park Ranger with the National Park Services, states the following as and for probable cause:

1. Your Complainant has been employed as a law enforcement officer with the National Park Service in the Lake Mead National Recreation Area, Clark County, Nevada, for over 20 years.

2. As part of your Complaint's duties, your Complainant investigates criminal violations of law on federal land. Through my employment as a Ranger with the National Park Service, your Complainant has received specialized training in the enforcement of federal laws. Your Affiant's training and experience have involved, among other things, the evaluation of roadside impairment, performing DUI investigations, and the administration of Field Sobriety Tests.

3. The following information used to support this Complaint was derived from reports of information obtained from investigations conducted by law enforcement related to the incident or complainant's own personal investigation.

4. This Complaint contains information necessary to support probable cause to believe that the criminal offenses described herein were committed by the defendant, **JEFFREY ALAN GONSALVES**, and is not intended to include each and every fact and matter observed or known by me. Moreover, to the extent that this Complaint contains statements by witnesses, those statements are set forth only in part and in substance and are intended to accurately convey the information, but not to be verbatim recitations.

FACTS ESTABLISHING PROBABLE CAUSE

5. On September 4, 2023, National Park Service Rangers Marcella Garcia and Daniel Bussell were on routine patrol within the boundaries of the Lake Mead National Recreation Area, Clark County, Nevada.

6. At approximately 8:18 PM, while traveling northbound on South Swim Beach Access Road Ranger Garcia observed a silver 2010 Kia sedan bearing Nevada registration 186G96, turn into the Boulder Beach Ranger Station parking lot and travel slowly pass the station. Ranger Garcia observed the vehicle have a delayed response at a stop sign by stopping only after it had partially passed the stop sign. Ranger Garcia observed the vehicle make a left turn onto Lakeshore Road without using its turn signal. The vehicle then stopped in the middle of the roadway and the operator waved his hand out the window signaling the for the rangers in a marked patrol vehicle to pass. Ranger Garcia used the PA system and instructed the vehicle to continue driving. While behind the vehicle, Ranger Garcia observed it drive onto the fog line multiple times.

7. Ranger Garcia initiated a traffic stop using the emergency lights and sirens on the marked patrol vehicle and made contact with the operator who was identified as **JEFFREY ALAN GONSALVES** by his Nevada driver's license.

8. During this face-to-face contact with **GONSALVES**, Ranger Garcia noticed a faint odor of an alcoholic beverage emanating from the vehicle. When asked, **GONSALVES** admitted to drinking about two beers within the last six hours. **GONSALVES** was asked to exit the vehicle, and Ranger Garcia observed that while walking to the back of the vehicle, **GONSALVES** placed his hands on the rear door to stabilize himself.

1 9. The following are the results of the Standardized Field Sobriety Test
2 administered to **GONSALVES** by Ranger Garcia:

3 (a) Horizontal Gaze Nystagmus Test: **GONSALVES**'s eyes had a
4 lack of smooth pursuit and had a distinct and sustained nystagmus.

5 (b) Walk and Turn Test: **GONSALVES** immediately used his
6 arms for balance and could not remain in the starting position. **GONSALVES** stated
7 that he was not able to perform this test due to the pain in his feet from having gout.

8 (c) One Leg Stand Test: **GONSALVES** was not asked to perform
9 this test due to the stated medical issue with his feet.

10 (d) Preliminary breath Test: **GONSALVES** result of this test was
11 0.129 percent by weight of alcohol.

12 10. Based on Ranger Garcia's training and experience, **GONSALVES**'s physical
13 and objective symptoms of intoxication, and performance on the Standardized Field
14 Sobriety Tests, Ranger Garcia formed the opinion that **GONSALVES** had been operating a
15 motor vehicle while under the influence of alcohol and placed **GONSALVES** under arrest.

16 11. **GONSALVES** was transported to the Henderson Detention Center where
17 Ranger Bussell administered an "Intoxilyzer 8000" breath test to him. The results of the test
18 were 0.112 grams and 0.112 grams of alcohol per 210 liters of breath respectively.
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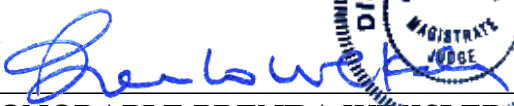
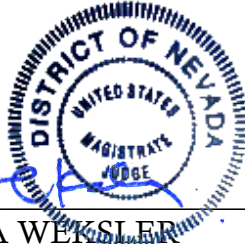
CONCLUSION

12. Based upon the information set forth in this application, your Complainant respectfully submits that there is probable cause to believe that **JEFFREY ALAN GONSALVES** violated Title 36, Code of Federal Regulations, Sections 4.32(a)(1), Title 36, Code of Federal Regulations, Section 4.23(a)(2), as described above.

/s/ Chris Raynolds

CHRIS RAYNOLDS, Park Ranger
National Park Service

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone on May 1, 2024.



HONORABLE BRENDA WEISLER
UNITED STATES MAGISTRATE JUDGE